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Patent
Attorney's Docket No. 033386-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of) **Mail Stop PETITION**
Robert S. Block et al.)
Application No.: 10/091,140) Group Art Unit: 2637
Filed: March 6, 2002) Examiner: James S. McClellan
For: BUSINESS ANALYSIS TOOL) Confirmation No.: 5151
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)

**PETITION UNDER 37 CFR § 1.181(a) TO WITHDRAW HOLDING OF
ABANDONMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed 30 December 2004,
Applicant respectfully requests withdrawal of the holding of Abandonment.

The Notice of Abandonment indicates that the Examiner held the application abandoned because Applicant failed to timely respond to the Final Office Action mailed 29 January 2004. This is incorrect.

Applicant timely filed a Notice of Appeal together with a Petition for Two-Month Extension of Time on 29 June 2004. Accordingly, an Appeal Brief or Request for Continued Examination (RCE) was two months later by the 29 August 2004 due date. (A copy of the stamped postcard verifying receipt of this filing by the U.S. Patent and Trademark Office is filed herewith). However, this two-month time period was extendible by five (5) months, so that an Appeal Brief or RCE filed together with a Petition for 5-Month Extension of Time by **29 January 2005** would be a timely response to the outstanding Final Office Action.

Unfortunately, the Examiner prematurely mailed out the Notice of Abandonment on **30 December 2004**.

Applicant timely filed an RCE together with a submission and a Petition for 5-Month Extension of Time on Monday, 31 January 2005 (the 29 January due date having fallen upon a weekend). A copy of the stamped postcard confirming receipt of the RCE, submission and Petition for Extension of Time by the U.S. Patent and Trademark Office are filed herewith.

Accordingly, Applicant respectfully requests withdrawal of the holding of Abandonment, and consideration on the merits of Applicant's submission filed 31 January 2005.

Per MPEP § 711.03(c)(I), no fees are required for this Petition.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 28 February 2005

By: 
M. David Ream
Registration No. 35,333

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Patent Response Postcard

Inventor: Robert S. Block et al.

Appn. No.: 10/091,140

Filing Date:

March 6, 2002

Docket No.: 033386-001

Working Atty.: MDR

Date:

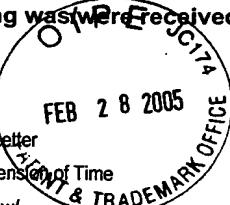
31 January 2005

Dkt. Clerk Initials



The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- Amendment or Response
- Preliminary Amendment
- Amendment/Reply Transmittal Letter
- Petition for 5 Month Extension of Time
- Submission of Formal Drawings w/ sheet(s) of drawings (Fig(s). 1-)
- Request for Approval of Drawing Changes w/ sheet(s) of red ink drawings
- Notice of Appeal
- Appeal Brief
- Request for Oral Hearing
- Reply Brief
- Response to Restriction Requirement or Election of Species
- Terminal Disclaimer
- Certificate Under 37 C.F.R. 3.73(b)
- Transmittal Letter for Missing Parts of Application



- Executed Declaration/Power of Attorney
- Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)
- Submission of Certified Copy of Priority Document w/ certified copy(ies)
- Information Disclosure Statement Transmittal
- Information Disclosure Citation (PTO-1449)
- Information Disclosure Statement w/ 1 document(s)
- Request for Corrected Notice of Recordation of Assignment w/Copy of Notice
- Request for Continued Examination
- Issue Fee Transmittal
- Status Inquiry
- Submission of Corrected Drawings
- Payment of Issue Fee and Authorization to charge Deposit Account
- Request for Refund

- Request for Corrected Filing Receipt w/copy of Official Filing Receipt
- Supplemental Application Data Sheet
- Substitute Specification (clean-marked copies)
- Check for \$ is enclosed
- Check for \$ is enclosed
- Charge \$ 1,650.00 to Deposit Account
- Charge \$ to credit card. Form PTO-2038 is attached.
- Filed by Certificate of Mail
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If submitting documents via Express Mail, provide the Express Mailing Label No. below:

Express Mail Mailing Label No.

Inventor: Robert S. Block et al.

Appn. No.: 10/091,140

Filing Date:

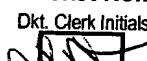
March 6, 2002

Docket No.: 033386-001

Working Atty.: MDR Debbie

Date:

June 29, 2004



The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- Amendment or Response
- Preliminary Amendment
- Amendment/Reply Transmittal Letter
- Petition for 2 Month Extension of Time
- Submission of Formal Drawings w/ sheet(s) of drawings (Fig(s). 1-)
- Request for Approval of Drawing Changes w/ sheet(s) of red ink drawings
- Notice of Appeal
- Brief for Appellant
- Request for Oral Hearing
- Reply Brief
- Response to Restriction Requirement or Election of Species
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- Status Inquiry
- Submission of Corrected Drawings
- Payment of Issue Fee and Authorization to charge Deposit Account
- Request for Refund

- Request for Corrected Filing Receipt w/copy of Official Filing Receipt
- Substitute Specification (clean-marked copies)
- Check for \$ is enclosed
- Check for \$ 375.00 is enclosed
- Charge \$ to Deposit Account
- Charge \$ to credit card. Form PTO-2038 is attached.
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